IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLN.NO.456 OF 2007

Subhash Namdeo Jarande ..Applicant

Vs.

State of Maharashtra ..Respondents

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Mr. N.P.Deshpande counsel for applicant
Mr. S.S.Pednekar A.P.P. for the State

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CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : MARCH 22, 2007

P.C.

1. Heard the learned counsel for the applicant and the learned A.P.P. for the State.

2. The applicant is seeking bail in C.R.No.376 of 2006 of Kothrud Police Station, Pune. The said case is mainly under Section 302 of IPC.

3. The learned counsel for the applicant submitted that the applicant has not assaulted the deceased with any weapon and the only role attributed to the applicant is that the present applicant and other co-accused assaulted Prasad (deceased) with fist and kick blows. Hence, he has prayed that the

applicant may be released on bail.

4. The learned A.P.P. has pointed out that the incident occurred on 2.7.2006 at 8.30 p.m. and the deceased died within five hours of the incident. Thereafter, he has pointed out that there are 46 external injuries on the body of the deceased and there are severe internal injuries including five fractures. He submitted that this shows the severity with which the applicant and co-accused assaulted the deceased. Hence, this clearly shows that the applicant had knowledge that the act would cause death. I find merit in this submission. Hence, I do not think that this is a fit case to grant bail.

5. Application is rejected.

[V.K.Tahilramani, J.]